

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:17-CR-118-D
No. 5:20-CV-138-D

COREY MICHAEL EDWARDS,)	
)	
Petitioner,)	
)	
v.)	ORDER
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

Citing Federal Rules of Civil Procedure 15(c) and 60(b)(5), Corey Michael Edwards (“Edwards” or “defendant”) seeks to reopen and amend his 2020 motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his 180-month sentence. See [D.E. 122, 137]. Edwards filed the motions pro se. The United States responded in opposition to the motions and moves the court to dismiss the motions for lack of jurisdiction or failure to state a claim. See [D.E. 147]; [D.E. 150-2]. The court notified Edwards of the motion to dismiss, the consequences of failing to respond, and the response deadline [D.E. 149]. See Roseboro v. Garrison, 528 F.2d 309, 310 (4th Cir. 1975) (per curiam). On March 28, 2025, the Federal Public Defender filed a notice of appearance on Edward’s behalf [D.E. 154] and filed a supplement to Edwards’s pro se motions, asserting a claim under Erlinger v. United States, 602 U.S. 821 (2024). See [D.E. 155]; [D.E. 158].

Not later than June 13, 2025, the government shall file any supplemental response to the additional filings. Edwards shall thereafter have until June 27, 2025, to file any reply. Because Edwards withdrew his previous section 2255 motion, see [D.E. 108], the parties shall address the Fourth Circuit’s holding in Provenzale v. United States, 388 F. App’x 285 (4th Cir. 2010) (per curiam) (unpublished).

SO ORDERED. This 16 day of May, 2025.

JAMES C. DEVER III
JAMES C. DEVER III
United States District Judge